

1 HB118  
2 78977-1  
3 By Representative Black (M)  
4 RFD: Judiciary  
5 First Read: 10-JAN-06  
6 PFD: 01/05/2006

SYNOPSIS: Under existing law, the schedule of maximum fines for felonies, misdemeanors, and violations, according to classifications established when the Alabama Criminal Code was adopted, is as follows: Class C felony, \$5,000; Class B felony, \$10,000; Class A felony, \$20,000; Class C misdemeanor, \$500; Class B misdemeanor, \$1,000; Class A misdemeanor, \$2,000; and a violation, \$200.

This bill increases the maximum fine that a court is authorized to assess upon conviction for a felony, misdemeanor, or violation as follows: Class C felony, \$15,000; Class B felony, \$30,000; Class A felony, \$60,000; Class C misdemeanor, \$1,500; Class B misdemeanor, \$3,000; Class A misdemeanor, \$6,000; and a violation, \$600.

A BILL  
TO BE ENTITLED  
AN ACT

1           To amend Sections 13A-5-11 and 13A-5-12 of the Code  
2 of Alabama 1975, to increase the maximum amount of fines  
3 authorized to be assessed upon conviction for a felony,  
4 misdemeanor, or violation.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6           Section 1. Sections 13A-5-11 and 13A-5-12 of the  
7 Code of Alabama 1975, are amended to read as follows:

8           "§13A-5-11.

9           "(a) A sentence to pay a fine for a felony shall be  
10 for a definite amount, fixed by the court, within the  
11 following limitations:

12           "(1) For a Class A felony, not more than ~~\$20,000.00~~  
13 \$60,000;

14           "(2) For a Class B felony, not more than ~~\$10,000.00~~  
15 \$30,000;

16           "(3) For a Class C felony, not more than ~~\$5,000.00~~  
17 \$15,000; or

18           "(4) Any amount not exceeding double the pecuniary  
19 gain to the defendant or loss to the victim caused by the  
20 commission of the offense.

21           "(b) As used in this section, "gain" means the  
22 amount of money or the value of property derived from the  
23 commission of the crime, less the amount of money or the value  
24 of property returned to the victim of the crime or seized or  
25 surrendered to lawful authority prior to the time sentence is  
26 imposed. "Value" shall be determined by the standards  
27 established in subdivision (14) of Section 13A-8-1.

1           "(c) The court may conduct a hearing upon the issue  
2 of defendant's gain or the victim's loss from the crime  
3 according to procedures established by rule of court.

4           "(d) This section shall not apply if a higher fine  
5 is otherwise authorized by law for a specific crime.

6           "§13A-5-12.

7           "(a) A sentence to pay a fine for a misdemeanor  
8 shall be for a definite amount, fixed by the court, within the  
9 following limitations:

10           "(1) For a Class A misdemeanor, not more than  
11 ~~\$2,000.00~~ \$6,000;

12           "(2) For a Class B misdemeanor, not more than  
13 ~~\$1,000.00~~ \$3,000;

14           "(3) For a Class C misdemeanor, not more than  
15 ~~\$500.00~~ \$1,500; or

16           "(4) Any amount not exceeding double the pecuniary  
17 gain to the defendant or loss to the victim caused by the  
18 commission of the offense.

19           "(b) A sentence to pay a fine for a violation shall  
20 be for a definite amount, fixed by the court, not to exceed  
21 ~~\$200.00~~, six hundred dollars (\$600), or any amount not  
22 exceeding double the pecuniary gain to the defendant or loss  
23 to the victim caused by the commission of the offense.

24           "(c) As used in this section, "gain" means the  
25 amount of money or the value of property derived from the  
26 commission of the crime, less the amount of money or the value  
27 of property returned to the victim of the crime or seized or

1 surrendered to lawful authority prior to the time sentence is  
2 imposed. "Value" shall be determined by the standards  
3 established in subdivision (14) of Section 13A-8-1.

4 "(d) The court may conduct a hearing upon the issue  
5 of defendant's gain or the victim's loss from the crime  
6 according to procedures established by rule of court."

7 Section 2. This act shall become effective on the  
8 first day of the third month following its passage and  
9 approval by the Governor, or its otherwise becoming law.